

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claims 1-12, 14-16 and 20-22 are now pending.

The Examiner objected that the application does not contain an Abstract of the Disclosure. An Abstract corresponding to that included in the PCT International Application is presented above.

The Examiner noted the preferred layout for a specification. As suggested by the Examiner's reminder, headings have been added to the specification text.

Claims 19 and 18 were objected to as including informalities. Claims 18 and 19 have been canceled above to advance prosecution and, therefore, the Examiner's objection has been mooted.

Original claims 1-4, 6-10, 12-13, 15-16, 19 and 21 were rejected under 35 USC 102(b) as being anticipated by Behr et al. Applicant respectfully traverses this rejection.

Anticipation under Section 102 of the Patent Act requires that a prior art reference disclose every claim element of the claimed invention. See, e.g., Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1574 (Fed. Cir. 1986). While other references may be used to interpret an allegedly anticipating reference, anticipation must be found in a single reference. See, e.g., Studiengesellschaft Kohle, G.m.b.H. v. Dart Indus., Inc., 726 F.2d 724, 726-27 (Fed. Cir. 1984). The absence of any element of the claim from the cited reference negates anticipation. See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 715 (Fed. Cir. 1984). Anticipation is not shown even if the differences between the claims and the prior art reference are insubstantial and the missing elements could be supplied by the

knowledge of one skilled in the art. See, e.g., Structural Rubber Prods., 749 F.2d at 716-17.

The present invention relates to a device for preparation of e.g., media discs in which servowriting and verification of the media may be carried out simultaneously. In an embodiment of the invention, a common monolithic platform is provided to support air bearing systems which allow movement of the media disc rotary carrier, a servowriting head stack and a certifier head stack. The servowriting head is arranged for substantially radial movement relative to the rotary carrier for the disc and the certifier head is also arranged for substantially radial movement relative to the carrier and for verification of the media disc, e.g., confirming the integrity of the medium of the disc.

Claim 1 specifically states that the write head is for the servowriting of data onto the disk, whereas the certifier head is for the verification of the media disc itself rather than any servowritten data. In a system of the present invention, a separate verification process where servowritten data is verified may take place and in practice this would most likely be conducted by a servo-writing head which is in fact a read/write head. Such servowriting read/write heads are common. For example, in USP 5,642,943 (of record) such a read/write head is used for servowriting the disc. The Examiner will note that at line 37 of column 6 of this patent, reference is made to the servo pattern being written by a head 18 whereas at line 59 of column 6 reference is made to a read/write head 18. Also attached for the Examiner's information are various pages from the website of KLA-Tencor which applicant believes to be the largest independent manufacturer of disc test equipment and pages from Komag website which applicants believe to be the largest independent disc media manufacturer. While these pages were not necessarily publicly available before this application was filed, they show that the concept of certification of media discs is well understood and is completely separate from any servowriting operation. Indeed, the Examiner will note that on a page from KLA-Tencor website, a sequential process for manufacturing a

media disc is shown where the certifying process is clearly shown to take place before servowriting. Moreover, the certifying is carried out on a machine which is completely separate from the servowriter.

The cited reference, Behr et al, provides an apparatus for calculating a "flying height" between a recording head and a disc. It uses a magnetic transducer to send out and receive signals, which it uses to calculate the space between the recording head and the disc. Although in the specification, the word "read" and "write" are used, Behr's disclosure does not refer to the writing or reading of data onto or from a disc. In fact, the metal disc in Behr is not even a media storage disc. Instead, Behr refers to sending out and receiving of a magnetic signal. It is the amplitude of this magnetic signal that is used to calculate differences in spacing between the recording head and the disc in various regions of the recording head. More specifically, according to the Behr technique, one of a plurality of magnetic transducers mounted on the moving disc records a line of signals of known amplitude and wavelength on a magnetic recording surface that has been placed on the recording head being evaluated. The signal amplitude is read from this line of recorded signals as the disc rotates and the relative space between the head and disc at 2 points on the head is determined from the relative amplitudes of the signals from the 2 points. Thus, according to the apparatus of Behr, a magnetic recording surface is provided on a fixed member and a magnetic transducer is provided on the movable disc. Thus, it is the transducer that writes a magnetic signal across the face of the recording head (stationary). Behr does not teach a read/write head arranged for substantially radial movement relative to a carrier and for servowriting of data onto the media disc. It is therefore respectfully submitted that Behr does not disclose either a write head or a certifying head as set forth in applicant's independent claims 1, 12 and 21.

Claim 11 was rejected under 35 USC 102(b) as being anticipated Butts et al. Applicant respectfully traverses this rejection.

The invention of the present application resides at least partly in a realization that it is possible to carry out the certification process and the servowriting process on a single machine. This goes against the well established practice in the media disc manufacturing industry, where separate machines are used for each task. As explained at lines 16-19 on page 1 of the as-filed application and in the paragraph bridging pages 8 and 9, as referenced above, the certification process takes the form of an inspection of the physical properties of the media disc which are completely independent of any tracks which may have been servowritten on the disc. As mentioned on page 9 of the application, if the certifier identifies a faulty disc, all processes will be stopped and the disc discarded. Any such faults found will be one which relates to a physical defect in the disc such as problems with the magnetic properties in a certain area.

In regard to claim 11, the Examiner asserts that Butts et al discloses verifying steps being carried out on the same rotary carrier as servowriting. However, by considering column 6, lines 61 onwards, it can be clearly understood that these verifying steps of Butts are related to checking that the servowriting process was performed properly (i.e., reading back the recorded magnetic signal after the writing of the disc). This is not the same as the present invention where the certification process takes the form of an inspection of the integrity, i.e., the physical properties of the media disc, rather than verifying any servowritten data upon it. In the paragraph bridging pages 8 and 9 of the present application, it is clear that the present certifying process can be carried out prior to or at the beginning of the servowriting process. Hence, it is clear that this certifying process cannot verify that the servowriting process was performed properly, as in Butts et al. Thus, Butts et al do not disclose a certifying head in the context of applicant's claims and therefore does not anticipate the claimed invention. Claim 11 has been revised so as not to be subject to the possible misunderstanding of the recited "certifying".

Reconsideration and withdrawal of the prior art rejections are respectfully requested.

Attached is a Form PTO-1449 listing the enclosed document.

The Rule 17(p) Official Fee required by Rule 97(c) in lieu of certification is filed herewith. Should that fee be missing or inadequate, please charge the deficiency to our Deposit Account No. 03-3975 under Order No. 34-116.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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